

VIRGINIA:

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

REVISED SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 00-1017-0830ELECTIONS: CBM UNIT FF-24  
(herein "Subject Drilling Unit")REPORT OF BOARDFINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of modifying and supplementing the Order previously in the captioned matter on December 11, 2000 which was recorded at Deed Book 517, Page 146 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on December 20, 2000, (herein "Board Order") and the Supplemental Order(s) entered on November 8, 2001 which was/were recorded at Deed Book 534, Page 389 in the said Clerk's Office on November 14, 2001.

Findings:

The Board finds that:

1. The Board Order and previous Supplemental Order(s) directed CNX GAS COMPANY LLC (herein "Designated Operator") to escrow bonus and royalty payments attributable to conflicting claims of ownership by paying the same to the Board's Escrow Agent for deposit in the Escrow Account pursuant to the provisions and requirements of §45.1-361.4, Va. Code Ann.
2. The Designated Operator has filed a Supplemental Affidavit dated June 16, 2003 disclosing that Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc. have entered into a royalty split agreement.
3. By reason of the aforementioned royalty split agreement, it is no longer necessary for the Designated Operator to tender royalty payments to the Escrow Agent attributable to the conflicting claims of Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc.
4. The revised Exhibit E annexed hereto and submitted to the Board by the Designated Operator with its Supplemental Affidavit identifies those persons whose conflicting claims of ownership continue to require escrow.
5. The Supplemental Affidavit further indicates that the Designated Operator has heretofore filed or will forthwith file its petition seeking a further Board Order disbursing escrowed bonus and royalty payments now on deposit in the Escrow Account subject to the aforementioned split agreement.

Order:

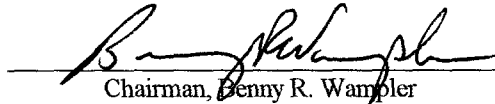
6. By this order, the Board vacates those portions of its prior Order(s), and/or Supplemental Orders(s), which required the Designated Operator to deposit funds pertaining to the conflicting claims of Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc. and orders the Designated Operator after entry of this Supplemental Order to pay such funds, which would otherwise have been payable to the Escrow Agent under the Board's prior Orders, directly to the parties to the said split agreement as provided in their agreement.
7. The Board, in the event the Designated Operator has not already done so, directs the Designated Operator to forthwith file its petition seeking disbursement of all funds on deposit in the Escrow Account attributable to the conflicting claims of Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher Enterprises, Inc..

**Mailing of Order and Filing of Affidavit:** The Designated Operator shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

**Conclusion:** Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

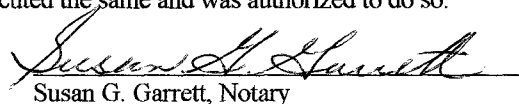
**Effective Date:** This Order shall be effective on the date of its execution.

**DONE AND EXECUTED** this 28<sup>th</sup> day of June, 2003, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

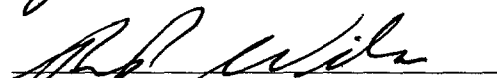
**STATE OF VIRGINIA  
COUNTY OF WISE**

Acknowledged on this 28<sup>th</sup> day of June, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Susan G. Garrett, Notary


My commission expires: 7-31-06.

**DONE AND PERFORMED THIS** 1<sup>ST</sup> day of July, 2003, by Order of the Board.

  
B. R. Wilson  
Director of the Virginia Gas & Oil Board  
and Principal Executive to the Board

**STATE OF VIRGINIA  
COUNTY OF WASHINGTON**

Acknowledged on this 1<sup>st</sup> day of July, 2003, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Acting Principal Executive to the Staff, Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis, Notary

My commission expires: 9-30-05.

VIRGINIA:

## SUPPLEMENTAL AFFIDAVIT RE CBM UNIT FF-24

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit FF-24  
VGOB 00-1017-0830 in the Hurricane District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator")  
REGARDING ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company, LLC as a Manager - Environmental / Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the Designated Operator;

That the Order entered on November 8, 2001, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to tender to the Escrow Agents funds attributable to the rights, interests and claims of the persons identified in the annexed Exhibit E as subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia;

That after the pooling hearing held in the captioned matter, Hugh MacRae Land Trust /Torch Operating Company and EE & E Fletcher Enterprises, Inc. entered into a royalty split agreement; that by the terms of said agreement escrow regarding the conflicting claims of Hugh MacRae Land Trust /Torch Operating Company and EE & E Fletcher Enterprises, Inc. is no longer required;

That annexed hereto are revised Exhibits E and EE;

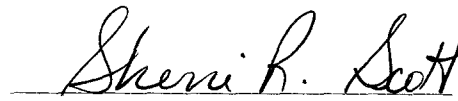
That the Designated Operator has heretofore filed its petition seeking the disbursement from escrow of all funds on deposit attributable to the conflicting claims of Hugh MacRae Land Trust /Torch Operating Company and EE & E Fletcher Enterprises, Inc. or the Designated Operator is preparing its petition seeking disbursement from escrow of all funds on deposit attributable to the conflicting claims of said respondents and will file same at its earliest opportunity; and

That the annexed supplemental order provides that the payment of funds subject to the annexed royalty split agreement shall be made to the said parties thereto rather than to the Escrow Agent.

Dated at Tazewell, Virginia, this 16<sup>th</sup> day of June, 2003.

  
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Manager - Engineering / Permitting of CNX Gas Company, LLC, on behalf of the corporate Designated Operator, this 16<sup>th</sup> day of June, 2003.

  
Notary

My commission expires: 11/30/05.

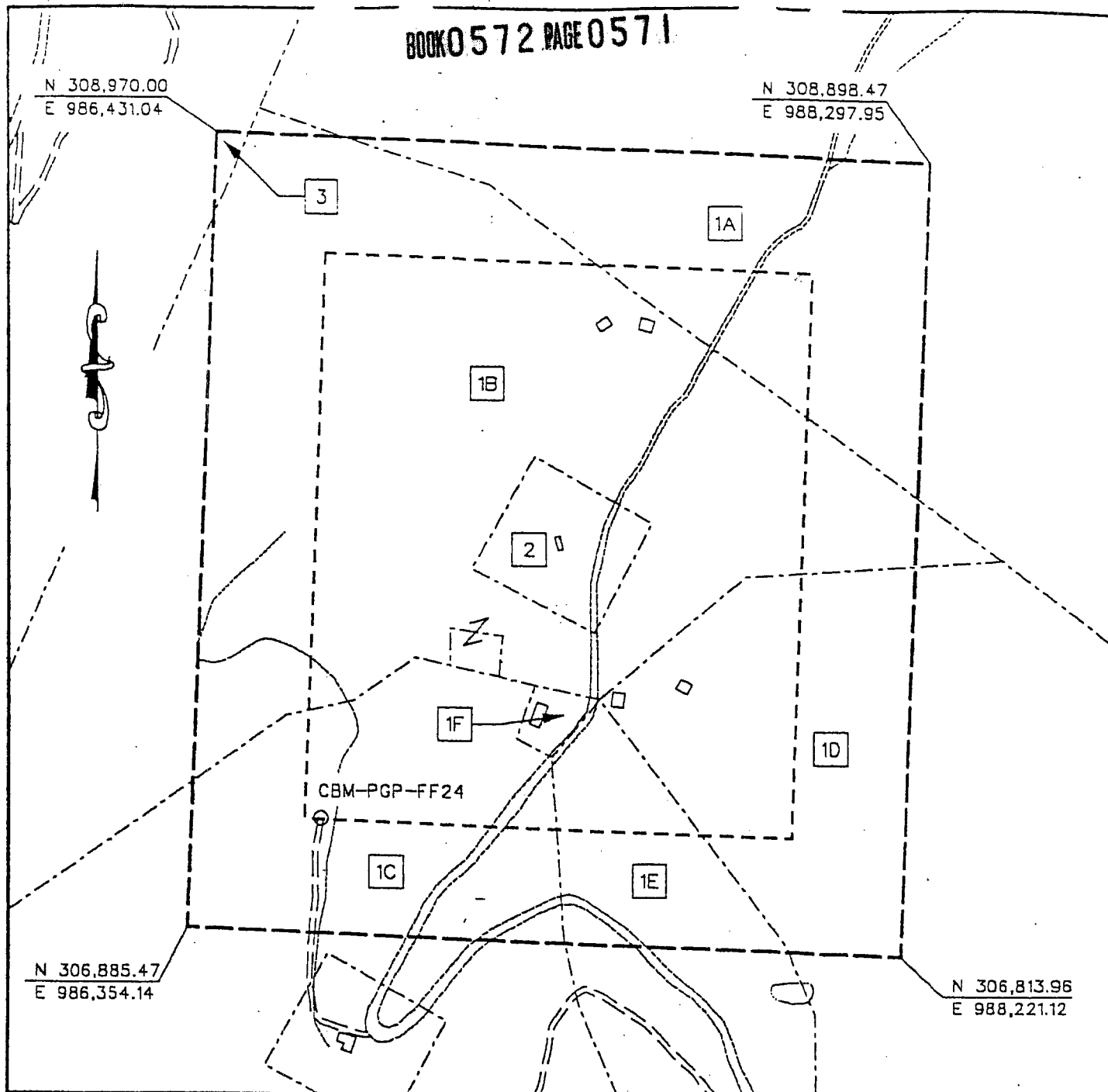


EXHIBIT A  
OAKWOOD FIELD UNIT FF-24  
FORCE POOLING  
VGOB-00-1017-0330

Company Pocahontas Gas Partnership Well Name and Number UNIT FF24  
 Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Keen Mountain  
 County Buchanan District Hurricane Scale: 1" = 400' Date 9/12/00  
 This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

Claudio D. Morgan  
 Licensed Professional Engineer or Licensed Land Surveyor

10336  
(Affix Seal)

## POCAHONTAS GAS PARTNERSHIP

Unit FF-24

Tract Identifications

- 1A. Hugh MacRae Land Trust - TR 9 - Coal  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Ellen Fletcher, et al - Oil & Gas  
Floyd Blankenship Jr. - Surface  
13.20 acres 14.78329%
- 1B. Hugh MacRae Land Trust - TR 9 - Coal  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Carlos Hale Heirs - Surface, Oil & Gas  
40.87 acres 45.77220%
- 1C. Hugh MacRae Land Trust - TR 9 - Coal  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Pocahontas Gas Partnership - Surface, Oil & Gas  
13.39 acres 14.99608%
- 1D. Hugh MacRae Land Trust - TR 9 - Coal  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Arnold S. Hale - Surface, Oil & Gas  
13.21 acres 14.79449%
- 1E. Hugh MacRae Land Trust - TR 9 - Coal  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Pocahontas Gas Partnership - Surface, Oil & Gas  
5.12 acres 5.73412%
- 1F. Hugh MacRae Land Trust - TR 9 - Coal  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Larry Hale - Oil & Gas  
0.53 acres 0.59357%
2. Carlos Hale Heirs - Fee  
2.75 acres 3.07985%

Unit FF-24

Tract Identifications

3. Buckhorn Coal Mining - Tr. 7 - Coal, Oil & Gas  
Consolidation Coal Company - Below Tiller coal Leased  
Permac, Inc. - Tiller and above coal Leased  
Pocahontas Gas Partnership - CBM Leased  
0.22 acres                      0.24639%

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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1A - 13.20 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	1.65 acres 1/8 of 13.20 acres	1.84791%	2.43327%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(2) Laura Hale Boyd Heirs, Devisees, Successors or Assigns, et al. (1/8 int.)	1.65 acres 1/8 of 13.20 acres	1.84791%	2.43327%
(a) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns			
(a.1) Velva Marie Charles Rt.5 Box 543 Grundy, VA 24614	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.2) Opal Mattie Hunt 1207-2059 Huntington Avenue Alexandria, VA 22303	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.3) Pauline Baldwin 5773 Governors Pond Circle Alexandria, VA 22310	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.4) Leah Mae Mullins Rt.4 Box 123A Grundy, VA 24614	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.5) Beulah Diane Boyd Rt.2 Box 453 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.6) Laura Virginia Manier Rt.2 Box 54 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.7) Henry Nathan Baldwin, Jr. Rt.2 Box 453 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.8) Judy Elizabeth Hagy Rt.2 Box 448 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.9) Gary Raymond Baldwin 49 Amsterdam Road Daleville, VA 24083-2921	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.10) Bradley Dean Baldwin Rt.2 Box 453 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.11) James Curtis Baldwin Rt.1 Box 422A Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.12) Samuel Marcus Baldwin, II P.O. Box 994 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.13) Brandon Scott Baldwin P.O. Box 994 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.14) Samantha Leah Baldwin P.O. Box 994 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(b) Lizzie Trula Greenwood 4518 Maple Grove Road Hampstead, MD 21074	0.1500 acres 1/11 of 1.65 acres	0.16799%	0.22121%
(c) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns			
(c.1) Patricia G. Rice Rt.1 Box 425 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.2) Teresa Church P.O. Box 473 Davenport, VA 24239	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.3) Shelia Miller 22455 Wyldwood Road Abingdon, VA 24211	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.4) Vickie Viers Rt.1 Box 425A Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.5) Terry Boyd Rt.1 Box 425A Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.6) Wayne Stiltner Rt.1 Box 425A Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(d) Marcus Boyd 863 Evins Avenue Smithville, TN 37166	0.1500 acres 1/11 of 1.65 acres	0.16799%	0.22121%
(e) Ireson Boyd Heirs, Devisees, Successors or Assigns			



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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(e.1) Hassie C. Boyd 612 Dry Creek Road Smithville, TN 37166	0.1500 acres 1/11 of 1.65 acres	0.16799%	0.22121%
(f) Charles Milton Boyd Heirs, Devisees, Successors or Assigns			
(f.1) Annie Boyd Heirs, Devisees, Successors or Assigns			
(f.1.1) Lester Boyd Box 182 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.2) Helen Viola Coleman Rt.1 Box 586 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.3) Betty Perkins Rt.1 Box 421 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.4) Peggy Tiller Rt.2 Box 466 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.5) Joan B. Boyd Rt.2 Box 461 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.6) Barbara Evans 1685 Peach Grove Avenue Harrisonburg, VA 22801	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(g) Mary Boyd Cook Heirs, Devisees, Successors or Assigns			
(g.1) Edward Cook Heirs, Devisees, Successors or Assigns			
(g.1.1) Nancy Cook, widow 33967 Wadsworth Libonia, MI 48150	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(g.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(g.3) Willard Cook 6227 East Owens Las Vegas, NV 89110	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(g.4) Ercil Cook Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h) Marion Boyd, Jr. Heirs, Devisees, Successors or Assigns			

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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(h.1) Sandra Boyd Street P.O. Box 595 Vansant, VA 24656	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h.2) Larry Ireson Boyd 612 Dry Creek Road Smithville, TN 37166	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h.3) Sherry Boyd Stacy P.O. Box 396 Vansant, VA 24656	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h.4) Rodney Boyd HCR Box 29H Grundy, VA 24614	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(i) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns			
(i.1) Marshall Boyd 4797 Hayden Crest Drive Hilliard, OH 43026	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.2) Thelma Boyd Lester HCR Box 1088 Big Rock, VA 24603	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.3) Ferrell Boyd Rt.2 Box 516 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.4) James H. Boyd Rt.1 Box 55 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.5) Anna Lou Boyd Colley Rt.1 Box 343 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.6) Estil Boyd Heirs, Devisees, Successors or Assigns			
(i.6.1) Katherine Boyd P.O. Box 6883 Statesville, NC 28687	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.7) Charles Boyd Rt.1 Box 578 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.8) William P. Boyd Rt.2 Box 464 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.9) David G. Boyd Box 54 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%

List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(i.10) Steve Boyd Rt.1 Box 415 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.11) Robert G. Boyd Rt.1 Box 416 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.12) Carlie B. Clevinger Heirs, Devisees, Successors or Assigns			
(i.12.1) Donald Clevinger Rt.1 Box 422C Vansant, VA 24656	0.0063 acres 1/264 of 1.65 acres	0.00700%	0.00922%
(i.12.2) Franklin Clevinger Rt.1 Box 503A Vansant, VA 24656	0.0063 acres 1/264 of 1.65 acres	0.00700%	0.00922%
(2) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.3000 acres 2/11 of 1.65 acres	0.33598%	0.44241%

**Tract #1B - 40.87 acres**

**COAL FEE OWNERSHIP**

(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	40.87 acres	45.77220%	60.27135%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			

**OIL & GAS FEE OWNERSHIP**

(1) Carlos Hale Heirs, Devisees, Successors or Assigns	40.87 acres	45.77220%	60.27135%
(a) Lorene Hale P.O. Box 841 Cedar Bluff, VA 24609	13.62 1/3 of 40.87 acres	15.25740%	20.09045%
(b) Pamela J. Keene HC65 Box 18B Oakwood, VA 24631	9.08 2/9 of 40.87 acres	10.17160%	13.39363%
(c) Jamie Hale Rt.2 Box 468 Haysi, VA 24256	9.08 2/9 of 40.87 acres	10.17160%	13.39363%
(d) Jeffery C. Hale 1926 Zacks Fork Road Lenoir, NC 28645	9.08 2/9 of 40.87 acres	10.17160%	13.39363%

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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1D - 13.21 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	13.21 acres	14.79449%	19.48090%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Arnold S. Hale, et ux. HC65 Box 18 Oakwood, VA 24631	13.21 acres	14.79449%	19.48090%
<b><u>Tract #1F - 0.53 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	0.53 acres	0.59357%	0.78160%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Larry Hale, et al. HC65 Box 118A Oakwood, VA 24631	0.53 acres	0.59357%	0.78160%

List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<b><u>Tract #1A - 13.20 acres *</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	11.55 acres 7/8 of 13.20 acres	12.93538%	17.03289%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) EE & E Fletcher Enterprises, Inc. (7/8 int.) P. O. Box 28 Rowe, VA 24646 (previously Ellen Fletcher)	11.55 acres 7/8 of 13.20 acres	12.93538%	17.03289%
<b><u>Tract #1C - 13.39 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	13.39 acres	14.99608%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	13.39 acres	14.99608%	n/a
<b><u>Tract #1E - 5.12 acres</u></b>			
<b><u>COAL FEE OWNERSHIP</u></b>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	5.12 acres	5.73412%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>			
(1) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	5.12 acres	5.73412%	n/a

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 23 day of July, 20 11, 084 A.M.  
Deed Book No. 318 and Page No. 11  
Returned to: James M. Bevens, Jr., Clerk  
TESTE: James M. Bevens, Jr., Clerk  
TESTE: Deputy Clerk

INSTRUMENT #030002444  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
JULY 3, 2003 AT 11:08AM  
JAMES M. BEVINS, CLERK

BY: \_\_\_\_\_

(DA)